## Anginess Matices.

NOVEMBER. Discolored, withered, dank and drooping.
The dahlin's gardy crown is stooping.
The pinks their seems have jost;
And even the star-geomed China-ster
Drops leaf and petal fast and faster.
As onward croops the frost.

Ah me' so seen the Summers fly, So seen the blooms we treashed die So som our hopes pass from us-I know not if 'its worth the pain To wait and toll till Sp ring again Displays her bow of promise.

But this I know—though earth lies bare And shiwering naked in the sir. Assumes the anow's virginity— That men can numbers des buy clothes, For Winter time, so cheep as those At Shiru's Masworks, TRISHYY Attired in these, even Winter skies
Grow element as a woman's eyes,
Bright, though with tear-drops clouded!
The Shirtis are our great light of dress,
They give us more and change us LESS,
In these times of wide distress
Their LIGHT SHOULD NOT HE SURGULDED

BRITH BROTHERS' One Price Wholesale and Retail Clothing Warercoms, Nos. 122, 138 and 140 Funton st., New-York.

MUST, SHALL AND WILL be sold, without regard to the sacrifice.

WE WAST MONEY,
and are determined to raise it by the sale of our goods

For Cast.

We have the largest stock of

China, Glass, Gas Fixtures and Selver Plater Ware

Tyou want to see how anxious we are to reduce it, just
Look AT SAMPLES or THE GOODS,
in our show windows, that are marked in plain Sgures.
Read, also
our advertisement in the Dry Goods column of this paper
W. J. F. Dailey & Co.,
Nos. 631 and 633 Broadway, between Houston and Sleecker-sta.

IMPORTANT TO HOUSEKEEPERS. Immense Display of FRENCH CHINA DINNER BETS. FRENCH CHINA TOILET SETS. PARIS GLOCKS, BRONZES, FANCY GOODS, SILVER PLATED WARE, PARIAN STATUARY, and a thousand other articles.

Corner of Broadway and Broome .

A BEAUTIFUL HAT is the chief attraction in a patienan's wearing apparel. No arise can excel Espan-erum, the fashionable Hatter, of No 118 Nassu et, in pra-ducing a covering for the head. They combine all the excel-lences that mechanism, perfect taste and long experience can concentrate to a hat. Price, \$3.50. Citizens and strangers are invited to notice the va-

Plety and excellence of stock offered at our counters, consisting of HATS, CAPS, USERNELLAS, &c. The quality and tyle of our Fall lauves of Gente' HATS, manufactored by ourselves, have no equal, and possess the requisites of our special sales. Our CAP Department presents every desirable novely for street or

niguse.

Memen will find GLOVES, CRAVATS, HOSERY, &c., this made a speciality, and offered to quatomers on oar usual MUSIC at HALF PRICE at WATERS'S, No. 333

Broadway.—Prayes and Mallongons at lower prices than over before offered in this market. Planes and Melodeous to Rent and rent allowed on purchase. For sale on monthly payments. CLOTHING AT REDUCED PRICES.

CLOTHING AT REDUCED PRICES,
FOR CASE.

ALFARO MUNKOE & Go.,
No. 441 Broadway, between Gans and Grand-sts.,
En consideration of the present financial panic, have marked flows their splendid stock of Man's and Boys' CLOTHISG from 16 to 25 per cent for cash.
In the custom department they have reduced their Ruglish and French Fancy Cassimere Fants. to order, to 89, worth \$11 and \$12; Velvet and Cashmere Vests in proportion.

For Cash.

GAS FIXTURE MANUFACTORY. CHEAPEST PLACE IN NEW-YORK.

All work warranted—no extra charges—faxtures shortened or boughbood, and put up at the prices for which they are sold.

Jas. G. MOFFET,

No. 119 and 121 Prince-st,
Sol block west of Broadway.

P. S.—Old Gas Fixtures regilt, French or artistic Bronze.

CAUTION TO THE PUBLIC.
Don't buy a Gilt-band
franch China Tax Ser
futil you have seen ours, for if you do you may (as others have
done before you)
Pay \$10 FOR WHAT WE SELL at \$6.30.
Look at the
DRY GOODS COLUMN
of this paper, and see our jist of other thines.
W. J. F. Datley & Co.,
Nos. \$31 and \$53 Broadway, between Houston and Bleecker-sts.

GREAT REDUCTION-RICH CARPETING. SMITS & LOWISSERY, No. 438 Broadway, near Grand-st. dec their entire Fall INFORTATION of ROYAL WILTON, VELTER, FROMETRY, BROSERS, THERP-PLY and INGRAIN CARPET WE at a great reduction from recent prices.

## New Work Daily Tribune.

MONDAY, NOVEMBER 10, 1857.

TO CORRESPONDENTS. scribers, in sending as remationees, frequently oncit to mon-tion the name of the Post-Office, and very frequently the name of the State, to which their paper is to be sent. Al-ways mention the name of the Post-Office and State. To notice can be taken of anonymous Communications. What over is intended for insertion must be authoritioated by the

tion, but as a guaranty of his good faith. We cannot undertake to return rejected Communications

By the steamship Ariel, by way of Cape Race, we receive four days later news from Europe, but nothing important. An unsuccessful attempt had been made to launch the monster steamship, the Great Eastern. Although the English money market was still in a depressed condition, coasols had improved, and closed at 89%. Cotton and breadstuffs had declined.

The great fraud by which an alien and odious government is sought to be permanently imposed on the People of Kansas, approaches its finale. The bogus Constitutional Convention closed its labors on Saturday, the 7th inst., having completed its State Constitution and decided not to submit it to the People. There is a pretense of submitting the question of Slavery or No Slavery by itself; but the Slavery clause so submitted may be rejected by an overwhelming vote, yet Slavery will continue to exist in Kansas if this Constitution is her supreme law. No provision is made in it for lishing or expelling Slavery, and the bare rejection of the Committee's article would not effect such expulsion. On the contrary, by expressly and fully confirming and perpetuating the "laws" of the bogus Legislature, the Convention has prowided for the perpetuation of Slavery at all events. The pretence of submission is a fraud, and the refusal to aubmit the Constitution itself is an outrage fitly perfecting the frauds whereof Kansas has been for three years the victim.

But the bogus Convention did not stop here. I actually constituted a Provisional Government fo Kansas, whereof its President, U. S. Surveyor-Gen eral John Calhoun, is made Governor. Tois bold meve is intended to supersede Gov. Walker and Secretary Stanton on the one hand, and the new Territorial Legislature on the other. Taus the victory lust won by the Free-State men is to be nullified, and the power once more spatched from their hands by usurpation, and vested in the master spirits of Border Ruffisaism. The calculation evidently is to rush this Constitution through our new Democratic Congress forthwith, and thus turn Mr. Parrott out of his seat as Delegate, and have State Election under the auspices of the new Provisional Government, which will provide the judges, superintend the polls, and count the votes In that case, Oxford, Kickapoo, and McGee County may be relied on to outdo all their past achieve ments, and to have admiring competitives all along the Misscuri line.

Kansas never seemed in greater peril than now. yet we do not doubt her ultimate triemph But there is doubtless to be a rush made to put this offspring of villainy and usurgation through Congrees at once, and it is indispensable that the People of the Free States should forthwith be made fally

The chief danger lies in the fact that a majority of the journals, especially those of the great cities, babituelly conceal the important occurrences from day to day transpiring in Kaneas, where they cannot be distorted to the prejudice of the Free-State party. Not one single "Democratic" or "National American" paper issued throughout the Free States has a regular correspondent in Kansas, or even pre tends to give full accounts of what takes place there. This systematic suppression is, even more than the simultaneous distortion, treason to the cause of Free Labor. It reveals a guilty consciou: ness that what is called "Democracy" in this quarter is only to be upheld by smothering the truth. And for this we see no present remedy.

Though the War Department at Washington hes itates, as the telegraph informs us, to receive as authentic the news of the destruction of a part of the Utah army provision trains by the Mormons, there remains no longer any room for doubt upon the subject. We publish to-day a letter from our special Utah correspondent, containing the full particulars, and no doubt by this time the War Department is in possession of dispatches on the same subject, forwarded by Col. Smith, by the same express which brought our letter. We also print as extract from The Leavenworth Times containing some particulars of the attack, as forwarded by express to Russell & Waddell of that city, the contractors to whom the wagons belonged. The date of the attack was the 5th of October, about midnight, and the place that part of the road intervening between the Big Sandy and the Green River, about half way from the South Pass to Fort Bridger. The whole distance between these two points is about a hundred and thirty miles, near fifty of which, in the neighborhood of the Bg Sandy, is a comp ete desert.

At the time of the attack, the van of the expedition under Col. Alexander, now the Commander-in-Chief, which was marching upon Fort Bridger, was encamped on Ham's Fork, about thirty miles in advance, while the rear of the expedition under Col. Smith had not yet reached the South Pass. The number of wagons destroyed is stated at seventy-five or seventy-eight, all of which were burnt with their contents except five, which were given up to the teamsters with sufficient rations to ensble them to reach Fort Laramie. No personal injury was offered to any one, the assailants disclaiming any intention to shed blood unless some of the Saints should first be killed. As to the number of the assailants and their backers, we have no very definite information. The attack was made by two distinct parties, one of the trains being some miles behind the other two. Neither of these parties, according to the information obtained by our correspondent, exceeded a hundred men. The suggestion that Heber C. Kimball was with them is not probable, as he is doubtless better at preaching than at fighting. The particulars of the attack were, however, imperfectly known in Col. Smith's camp, whence our letter was written. A messenger had arrived who had been the bearer of dispatches from Col. Alexander to Col. Smith, but, as he had fallen into the hands of the Mormons on the way, he had obeyed his orders by destroying his dispatches. What was known in Col. Smith's camp appears to have been derived from the verbal statements of this messenger, and from a circular letter dispatched by Capt. Marcy to the trains on the road, advising them to place themselves under

Col. Smith's protection. The entire force of fighting men in the expedition does not probably exceed ten or eleven hundred. It includes the entire Tenth Regiment of Infantry, eight companies of the Fifth Infantry, a detachment of the Fourth Artillery, with six light pieces, and about sixty men, and an ordnance train with heavy pieces, of about the same strength. The teamsters and other laborers attached to the expedition might swell the entire force to sixteen hundred or more, but these last would have their hands full in taking care of their cattle. From the South Pass to Fort Bridger is, as we have stated, a hundred and thirtyone miles, of which more than a third part is a pervery little grass. What little there is, the same parties of Mormons employed in intercepting the trains will doubtless set on fire and destroy.

From Fort Bridger to Salt Lake City, the direct road across the mountains is one hundred and thirteen miles, but this is a very difficult route, with many narrow passes, liable to be blocked with snew, hardly practicable so late in the season at any rate, and still less so with the prospect of active resistance on the part of the Mormons. There is another road, following the valley of the Bear river north to S da Springs, where the Oregon road forks off, and then turning south by the same valley and the eastern shore of the Great Salt Lake. This route nearly doubles the distance, but it is much more practicable, and, should the Expedition advance into the valley, it will probably be by this road. The great difficulty in the advance. s the subsistence of the cattle of the provision trains.

It must be confessed that the dilatoriness of the War Department in not starting the expedition seasonably on its march, and the detention of the troops in Kansas, have placed both the Government and the expedition in a very awkward predicament. Every motive, whether of policy, of humanity or self respect, required that, if military possession were to be taken of the Mormon Valley, it should be done under circumstances and with a force to overcome every idea of resistance. To be obliged to retire before the Mormons would be mortifying enough; to have Salt Lake Valley turned into the scene of a desperate and deadly struggle would be still worse

The whole difficulty has originated from the use less and foolish detention of the troops in Kansas. Instead of marching seasonably forward on the expedition for which they were intended, they were long kept in that Territory for the sake of preventing the people of Lawrence from organizing a Manicipal Government. During this delay, they suffered greatly by desertion. Some of the troops destined for this service still remain behind, and the expedition has thus been reduced to about has the force originally intended. Under these circamstances, whatever the result may be-and there seems little ground to anticipate any but an unpleas ant one-the responsibility will be at the door of those who kept the troops in Kansas when they should have been marching on Utah.

A correspondent, who wisely omits to stafe his real name, writes us a grave letter of rebuke for the severity of the language which we have lately thought it our duty to apply to the career and charocter of the Hon. Fernando Wood. It may be true, says our correspondent, that before his election as Mayor Mr. Wood was betrayed into some indiscretions, (as, for instance, changing the invoice of one barrel of pork at \$10 into 30 barrels a set of pump-valves from \$3 50 to \$36 50; changing the bill of sale of a vessel from \$4,200 to \$12,000, and the like, ) but since he has been Mayor, and has been a member of the Rev. Dr. Tyng's church, our correspondent thinks Mr. Wood has proved bimself an upright and incorruptible man. Why, then, indignantly asks our anonymous correspondent, speak of him as a corrupt and wicked magistrate? We will answer our querist by narrating one or two facts out of a pretty long and righly varied catalogue.

In the Spring of 1855, the ship Joseph Walker, loaded with grain, was burned and sunk in the slip at the foot of Dover street, East River. Mr. Wood entered upon his office in January, 1855, and became suddenly famous for the extravagance of his promises of reform, and the apparent zeal with which he began the work. But, while he was upsetting apple stands and chasing bad women out of Broadway, it seems that somebody complained that the wreck of the Joseph Walker was prejudicial to health and ought to be removed. Who that comebody was is not known, nor can anything be found of the very opportune petition signed (as Wood said) by eminent merchants, and saking the Mayor to have the wreck removed. At this time, Captain Lewis had already undertaken to raise the wreck on salvage, without costing the City a cent. Upon the investigation made by the Common Council, it was shown that Wood substantially proposed to Mr. Walter R. Jones, who seemed to have a remarkable aptness for taking a hint, the job of removing the wreck. Jones consented, and named as his price \$13,000, to be paid as the work progressed. The Mayor closed the bargain, and got himself authorized by resolution of the Health Commissioners to do the job. Jones also induced Wood to agree to abandon any claims the City might have upon the vessel, and sesign the same to him. Other proposals were made at the time, one as low as \$3,500, for the work; but Jenes was "all right" with the Mayor. and bad no difficulty in "fixing things" to suit the high contracting parties. Finally, the man who proposed to do the job for \$3,500, did actually do it for Jones, for a certain per centage on the hull and cargo. So the materials saved more than paid for all the work, and the \$13,000 taken from the

Treasury was clear gain to somebody. The truth is, beyond doubt, that the raising o the ship was suggested by Wood himself; that he never had any complaints about it, as was alleged: that the "danger to public health" was a happy thought to excuse the interference of the Health Commissioners, who soon found out that they were mere tools in the Mayor's hands; that the City was deliberately swindled out of the money, with the connivance of Wood, at the time when he was loudest in his professions of reform. He had no right to make a contract, nor could he be lawfally sutherized to do so. He is forbidden to have any interest in a contract, but who will believe he had not a deep and valuable interest in this? His failure to justify himself before the Committee of Investigation in 1855 was complete, and left not a doubt upon any reasonable mind that the whole affair of the Joseph Walker was intended to be, what it was, a pure and simple robbery of the City

An intimate friend, associate and favorite of the Hon, Fernando is Mr. Benjamin P. Fairchild. For his benefit, the Mayor proposed and nearly carried through the Common Council a grant of an unnecessary line of stages through Lexington avenue, against the wishes of all the residents on that street Well: some time in the beginning of the present year, a respectable lawyer of this City had procured the passage through the Common Council of an ordinance allowing him to complete the purchase of certain lots on the Central Park, which he had bought some time before, but on which his first payment had been forfeited. Several days after the pessage of the ordinance, it was suggested to nim that the ordinance might be vetoed, and that he would do well to see the Mayor on the subject. An interview took place, when Mr. Wood caused the lots in question to be pointed out to him on the d remarked to the applicant that the bargain was a good one, and that the ordinance would put a handsome sum of money into the gentleman's pocket. The interview ended without the visitor receiving any assurance that the ordinance would receive the Mayor's approval. On the ninth day after its passage, however, or one day before the Mayor's power over the ordinance would expire. Mr. Benjamin P. Fairchild waited on the gentleman and to'd him that the Mayor would send in a veto, and that the only way to prevent this was to pay him (Fairchild) a suitable pecuniary consideration. The gentleman naturally expressed much surprise at this proposal, but Mr. Fairchild coolly told him that before rejecting it he would do well to inquire of certain parties at the City Hall touching his (Fairchild's) position, and power to consummate an arrangement of the kind. The proposed inquiry was made, and the result was an agreement to give Fairchild a certain share of the profits to be made on the lots. Hereupon, on the last day, instead of a veto, the ordinance received the Mayor' approval, and shortly afterward Mr. Fairchild re ceived twenty-fire hundred dellars in cash, as pay for that approval, this sum being given him in lieu of the contingent interest for which he had

originally stipulated. -We might go on and multiply instances of the kind. They are scattered pretty freely along the official career of his Honor the Mayor. But these must suffice for te-day. Possibly, our anonymous correspondent may still think that this man is a medel of virtue and purity, but we presume the intelligent public will continue to entertain a very d.fferent opinion.

We hear the result of our late Election generally spoken of as disastrous to the Republicans, but we do not so regard it. True, we lose by it-or rather, we fail to gain-the management of the Canala. which has been a curse to us whenever we have had it. Had we completely, unquestionably lost the Legislature also, it would have been a piece of rare good fortune. Let us only be fairly rid of all local responsibility and power, and we shall bring distinctly into view that one great National Issue on which the understandings and the hearts of the People are overwhelmingly with us. Had we lost the Legislature and the Canals last year, we should have carried the State this Fall by an ample majority. As we are now stripped for the contest of 1858, when we have a Governor and Meinbers of Coppress to elect, we are morally certain to

But to do so we must realize from the outset that aluggiatures and indifference and disorganization cannot prevail against a party with which politics is a trade, which has a vidette in every Post Office. a drilled brigade in the Custom-House, and skir. mishers in the shape of Mail Agents Deputy Marabale, &c , &a., flying from point to point, and Federal Treasury. A party so organized and pampered can draw out its full vote at a local as well se at a Presidential Election, and can only be beaten by determined purpose, judicious calculation, and systematic effort. Thus we see that where, in 1855, with no cencerted and sustained effort on our part, both the Democratic and the American vote of our State exceeded that of the Republicans by thousands, and they each elected a part of their State ticket (the Democrats losing the greater part through the "Hard" and "Soft" division), while the Republicans did not carry a man, the next year, with precisely the same issues and the same parties in the field, but with a President, Governor and Congress to elect, and a full vote consequently poiled, the Republicans doubled their vote of 1855 and swept all before them by immense majorities. This year was one in which the apparent stake was light, and the effort on our part proportionate, so there is but a light vote, and we fall behind again. The American party has nearly vanished, and much of it gone over to the Democrats; yet the latter will hardly poll 5,000 votes more now than they did last year, while ours falls off by scores of thousands, though by no means so low as was that of

In a very few localities, the Republicans organized and canvassed this year as they should have done, and in those instances their vote is equal to that of last year. Generally, however, they let the whole canvass go as it would, and the result was what might have been expected. The Republican vote, in such cases, is only about two-thirds that of last year, and in some cases less than one-half. Queens County has done worst of any, we believe, and there the Republicans simed at nothing, and hit it. They came very near the mark in several

We state these facts because it is essential that they be acted on promptly. The signs of the times demand immediate action. The party in power is about to make an attack on the Banks, in the hope of distracting attention from the great issue of Slavery Extension. The Republicans must not allow themselves to be thus distracted and divided. Some of us are Bank men, others for Hard Money; but neither Banks nor Hard Money have any place in our platform, and any Republican is at perfect liberty to cherish and maintain his own theory with regard to the Currency. If we were to attempt to coerce uniformity on that point, and become a Bank party or a Hard-Money party, it would amount to othing, for the Federal Executive, Judiciary and Congress, who have control over the action of the Government with respect to the Currency, are already in power and cannot be ousted. Mr. Buchanan is President by virtue of the money contributed by bankers, capitalists and importers in New-York and the votes obtained thereby in Pennsylvania at the State Election of 1856. If the contributers made a bad investment, it is too late to recall it and beyond our power to help them. Whatever the President sees fit to recommend with regard to Currency and Finance, he has a Congress ready to nact and a Supreme Court to enforce, and any attempt by the Republican party as such to resist to consummation would probably tend to promote it. Of course, those of us who are Bank or Paper-Currency men will speak and act in accordance with our convictions, as will the Hard-Meney men; but as a party the Republicans cannot and will not take issue with the Administration on this ground.

But, while we have no power over the action of the Federal Government on the Currency, we have power to resist and baffle its policy of Slavery Extension. In defiance of the most unscrupulous and perverse exercise of Federal authority, we have rescued Kansas from the Slave Power, and shall soon bring her into the Union as a Free State. In spite of the Federal Executive, of the Federal Judiciary ruling most outrageously against us, and of a majority in Congress, the party of Slavery Restriction has wrested Kansas from the grasp of the Border Ruffians and restored her to Free Labor, her rightful possessor. The struggle has yet to pass through some critical phases—there is work to be done, there are sacrifices to make-but the end is clear. And it is not merely fa'se, it is preposterous, to say that elimate, position, or any "isothermal" influence whatever, has fixed the destiny of Kansas; for Missouri lies in exactly the same latitude, and has the same general characteristics; as is the case also with Maryland and the greater portion of Virginia. Had our fathers made their battle for Missouri as we have done ours for Kansas-by systematic emigration and by political effort in the embryo State itself, as well as in Congress-they would have secured that State on its admission, and saved us the necessity of struggling for Kansas. The Indian Territory and New-Mexico are next to be disputed, and the Slave Power has the advantage with regard to the former, but not greater than it had with regard to Kaneas three years ago. New-Mexico is to-day in the hands of the Slavery Extensionists, and, in spite of Mr. Webster's dietum that "the laws of God" excluded Slavery from that region [they must have been suspende while the Spaniards held possession of it ], they can only be custed by a determined effort. But the history of Kansas proves that this effort, resolutely, persistently made, is morally sure to prevail.

We urge, therefore, the prompt commencement of a reorganization of the Republican party for the contest of 1860, and the nomination of its State Ticket not toward the end of September, but as early as the middle of July. Let candidates for Congress be also selected at that time, and let them e men not only able to set forth and commend the principles of Republicanism, but willing to give three months to a patient, industrious, systematic canvass of their respective districts from township to township, with a view to effecting a complete and thorough organization which will bring every Republican voter to the polls. We should prefer also that our candidates for Governor and Lieutenant be good speakers, and that they respectfully invite their antagonists to canvass the State with them, speaking from County to County. That is the sort of canvass demanded by our cause and the exigencies of the occasion, and with such a canvass we cannot fail not merely to succeed, but to roll up such a majority as will electrify the hearts of Republicans throughout the Union.

If the writ of mandamus lately issued by Judge Cato to Governor Walker and Secretary Stanton, in the matter of the bogus Oxford returns-which Walker and Stanton were commanded by this process to treat as genuine, and to issue certificates sceordingly-deserves to be set down, as certainly it was, among the curiosities of jurisprudence, the answer put in by Walker and Stanton hardly less deserves a place in the same category. Originally, Walker declined to take any notice of this process n the ground that the person serving it had ceased to be a Sheriff. That objection he appears now to have dropped. Instead of disputing the authority of

the Judge, setting forth his objections under eleven distinct beads. In point of law, the objections taken would seem to be rather difficult toe answer. The Governor contends, first, that no mandamus will lie in any esse where there is any other remedy, and that,

in this case, if the Mesers. Jones and Co. are not satisfied with his judgment on the Oxford returns, the appeal is not to Judge Cato, nor to any court of law, but to the Counoil and Assembly of which they claim to have been elected members. Secondly, he insists that a mandamus can only be resorted to where the thing to be done is a purely ministerial act, not involving any exercise of judgment or discretion-a description which does not apply to the duty imposed upon and exercised by the Governor and Secretary in this case: involving, as it did, the determination as to the validity and legality of the returns.

This distinction is fully borne out by the case o

Marbury vs. Madison, in the Supreme Court of

the United States, which, in all probability, the

learned Judge Cato had in view as his precedent for

the issue of this mandamus. The facts of that case,

which made a great noise at the time, were these John Adams, just previous to the close of his term of office as President, had appointed certain gentlemen to be Justices of the Peace for the District of Columbia. They had been confirmed by the Senste, and their commissions made out, signed and soaled but, by some accident, remained in the Department of State whea Adams's term expired. Jefferson and his supporters had been greatly annoyed by the pertinacity of Adams in filling up, by the appoint ment of his own party friends, every official vacancy down to the very close of his administration, and this accident about the delivery of these commissions was availed of to withhold them altogether, and to appoint other persons to the same offices. The disappointed Justices hereupon applied to the Supreme Court for a mandamus to Mr. Madison, who had succeeded to the office of Secretary of State, to compel him to deliver the commissions They took the ground that their title to the office was complete, and that the delivery of the commis sions was a mere ministerial act, which Mr. Madison was bound to perform. An order to Mr. Madison to show cause why the mandamus should not issue was accordingly granted. But this interference on the part of the Court was taken in high dudgeon by Jefferson. Mr. Madison took no notice of the order and made no appearance to it. The Court, however, went on with the case, and the facts were finally established, though not without some difficulty in extorting testimony from the elerks in the State Department, who at first declined to answer. Though the view of their rights set up by the plaintiffs was sustained by the Court, the case finally went off on the ground that the Supreme Court, being an appellate Court only, had no right to issue a mandamus, which is an original writ. But, in upholding the claim of the plaintiffs in that case, the Court wholly disclaimed any power to interfere, as Cato has attempted to do in this esse, with any exercise of discretion or judgment on the part of executive officers.

But though Governor Walker, in appearing before Judge Cato and endeavoring to enlighten him as to the limits of his jurisdiction, has seemed to show more complacency toward that official than Jefferson and Madison did toward Chief-Justice Marshall and his colleagues, he yet winds up by distinctly telling the Judge that he will pay no attention to a judgment in this case directing him to issue certificates of election, but will treat it as a usurpation and a nullity, which his cath of office requires him to disregard. This is one of the novelties and curiosities of the answer (it being the common course on the part of suitors to keep such determinations to themselves), and the next is, that, anticipating an unfavorable decision, and with a view to prevent a dangerous conflict between the judicial and executive power," the Governor pro ceeds at once to claim an appeal-before any decision has yet been rendered-first to the Supreme Court of the Territory, and if need be, to the Supreme Court of the United States. But how, if Cato refuses to grant this appeal, and proceeds at once to a committal for contempt ! The Governor and Secretary are resolved in that case to give a specimen of executive meekness and of respect for judicial authority, however absurd, such as the world has never seen before. Not only will they submit to be imprisoned, but if any tumult is apprehended for their release, the Governor tenders the use of the United States troops under his command to act as a posse comitatue in keeping them in jail! Such is the very odd conclusion of this very odd legal document.

There are doubtless many of our political adverearies who would like to extend the circulation of the most unfair, insidious, jesuitical advocate of their party if they knew which it was, and to these we can heartily commend Harver's Weekly as the very journal they want. Professing to be non-parisan, it misses no opportunity to poison the minde of its readers against the Republican cause. No chance for stab, or slur, or inquendo, to the preindice of that cause, ever escapes it. For instance, its last issue accounts for the result of our State Election as follows:

"The State of New-York has always been Demperatic at heart. At times ophemeral fantasies have taken such hold upon the minds of the people of the rural districts that for a period the scepter has de parted from the Democracy. At times, too, splits have taken place in the party, and Democratic dissensions have transferred the control of the State to the hands of other factions. But these accidents overcome and these dissensions healed, New-York has in variably rallied to its old fanth. The election of thi month illustrates the principle,

"Democracy," according to the dictionaries which Harper & Brothers publish, implies a form f government which secures to all the People a qual voice in the choice of their rulers and th framing of their laws; but "the Democracy' which has just triumphed in this State plants itsel on the perpetual disfranchisement and political sub jugation of a considerable class of our population not because of any wrong or fault on their part but because of the color of their skin, and the country of their ancestors. "The Democracy" of Jef. ferson and his compeers was based on the Instienable Rights of Man; but "the Democracy" which has just carried our State is based on the doctrine of Caste, and denies to landless men the Elective Franchise which it confers on those same men if owners of \$250 worth of Real Estate. Whenever New-York shall rally to "its old Democratic faith," it must repudiate and east down the party which now ives on the Democratic name; and we dare the editor of Harper's Weekly to find a dictionary in the Harpers' establishment whose definition of the word Democracy does not make this truth clear.

The "old faith" of Democratic New-York in 1816, '24-and '28 included protection to Home Industry. We appeal to the messages of her Democratic Governors, the resolves of her Democratic acquainted with its origin, character and purpose. at \$10 each, making \$300; changing the invoice of which draws millions annually in coin from the the officer, he protests against the jurisdiction of Legislatures, the votes of her Democratic delega-

tions in Congress at all times prior to 1832 in pres of this position. The "old faith" of Democr New York approved the duty and policy of exchaing Slavery by positive inhibition from all the conmon territories of the United States. We appeal in proof of this, to the vote of New-York for Jet ferson's original Slavery Restriction in 1784, Dane's Restriction in 1787, for the Missouri striction in 1818-19-20, for the Wilmot Proving and against the repeal of the Missouri Restriction If there be one political doctrine from the support of which Democratic New-York zerer faltered, through sixty years of party fluctuations and free quent sectional collision, it is this one of infexible onclusion of Human Slavery from the Territories. Tale cardinal feature of her permanent policy, this beaces light of her history, is repudiated by the parissues, by dishenest clamors against a State taration which those who raised them knew to be new and proper. The "ephemeral fastasies" have "taken such hold upon the minds of the per-Republican, are none other than this hostility to Slavery-Extension, which all parties in our State professed to cherish down to a very few years age.
The strongest Republican Counties now are then which in other times were strongholds of Demes racy-St. Lawrence, Cayuge, Herkimer, Jefference, Opondaga, &c. But can it be necessary for ther to expose the dishonesty, the radical unbert of this thrust at the Republicans in Harper's West. ly? Any Republican who relishes such, can cure a weekly supply by subscribing for that page.

## THE LATEST NEWS RECEIVED BY

MAGNETIC TELEGRAPH

LATER FROM CALIFORNIA

NEW-ORLEANS, Friday, Nov. 13-9 P. M. The mails per steamship Granada have just arrived. She is still detained at Quarantine, having yellow fever on board.

The advices from California are generally uni pertant. The news from the mines is of an encouraging de

scription. The Vigilance Committee have revoked the penalties attached to the sentences of banishment pro-

nounced by them. The San Francisco markets were quiet. There had been no arrivals from Atlantic ports.

An arrival from the Plains confirms the statement heretofore made that on the 10th or 12th of September a train consisting of 100 persons were all slain by to Indians, except a few children, who were sold to the Mormons. It was generally believed that the Mor mone were at the bottom of the affair.

An arrival at San Francisco from China brings lafter mation that all the European residents at Ningpe were banished on the 4th of August.

REVENUE CUTTERS ORDERED TO PURSUE GENERAL WALKER

WASHINGTON, Saturday, Nov. 14, 1857. At an early hour this morning Secretaries Cass, Floyd, and Attorney General Toucey held a hurried consultation, and determined to telegraph the United States Marshal at New-Orleans to send the representation of Gen. Walker. It is believed to the State Department that the reveaue catters wi everhaul him.

> A STEAM-TUG EXPLODED. DETROIT, Saturday, Nov. 14, 1857.

The steam-tug Noah P. Sprague, of Buffalo, es ploded while in the river opposite this city this compersons, and eight of them were instantly killed. The captain and first engineer escaped with severe but ast fatal injuries. The bark Sunshine, which she had alongside of her, was completely riddled in the reging, but no one on board of her was injured. The cause of the explosion has not yet been ascertained.

THE FINANCIAL CREDIT OF MISSOURI Sr. Louis, Saturday, Nov. 14, 1857. The bill to legalize a mili tax to sustain the credit a the State was defeated in the House yesterday by

majority of thirty. THE METHODIST CHURCH OF THE MO

AND WEST.

CINCINNATI, Saturday, Nov. 14, 1857.

A special Convention of the delegates from the verious Annual Conferences of the Methodist Protestal Church of the North and West has been in seem here for several days. No important action was taken until yesterday, when the following report was adopted:

Whereas, We have received satisfactory information that entire freedom of discussion on the subject of Slavery same the enjoyed in Lynchburg; and whereas, we do not feel under obtaining the second of the control of the second of the control of the second of the control of the second of the second of the North and West to attend the Jeneral Casenes at Lynchburg, with a view to accure redress of the parameter which we suffer.

sentatives of the North and West to attend the General Course at Lynchburg, with a view to secure redress of the personnes which we suffer.

At the afternoon seesion a memorial to the General Conference was drawn up, which says: "It is extra control to the General Association, but we must in Christian of the Ch

The memorial was adopted. The Convention was probably adjourn to-day.

FROM WASHINGTON.

Washington, Saturday, Nov. 14, 1857.

It has been ascertained that Great Britain has never recognized the jurisdiction of Costa Rica over the River San Juan or Transit route. All she desires in that Costa Rica should have the right of navigation for the export of her produce by the river, and the frontier to be settled by free negotiation between the two Governments. None of the contracts or grants made by Costa Rica respecting the Transit are sampled to the contracts of grants and the grants of some contracts of the contracts of sample has advised the Government of Costa Rica not to make any grants or concessions peading the arrival in Central America of Sir Wm. Gore Ossey, who is expected immediately at Washington. FROM WASHINGTON.

SENTENCE OF CRIMINALS. SENTENCE OF CRIMINALS.

LONDON, C. W.; Saturday, Nov. 14, 183.

Thomas Craig, who was convicted of altering the date of a promissory note and passing the same, there by defrauding the discounter, has been sonteneed four years imprisonment in the Petitentiary.

J. F. Manby, a station-master on the Great Western Railroad, was convicted of wrongly allowing express train to pass, and so caused a collision was fined only \$30 by the Court, as a petition in favor, largely and respectably signed, had been received.

ceived.

Neil Beaton and wife have been sentenced to be hand for poisoning the former hasband of Mrs. Beaton James Secord, convicted of robbing the Post-Office at Newbury of a money letter containing five possess, has been sentenced to the Penitentiary for life.

BURNING OF THE FORT EDWARD BLAST

FURNING OF THE FORT EDWARD BLAST FURNACE.

FORT EDWARD, Saturday, Nov. 14, 1807.

About 6 o'clock this morning the Fort Edward blast furnace was discovered to be on first, and soon after the whole building was destroyed. Through the effect of the firemen, the machinery was mostly saved. The loss is about \$3,000. The building was uninsured.

The Legislature of Texas have elected J. Pineks Henderson and J. W. Campbell United States Sattors, to succeed Generals Houston and Rusk. THE JAMES ADGER AT CHARLESTON.

TEXAS UNITED STATES SENATORSHIP.

The United States mail steamship James Add. Capt. S. C. Turner, from New-York, arrived bare of clock this morning.